

Attorney's  
Docket  
Number RPI-008CP

Declaration, Petition and Power of Attorney  
for Continuation-in-Part Patent Application

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

TUMOR CELLS MODIFIED TO EXPRESS B7-2 AND B7-3 WITH INCREASED  
IMMUNOGENICITY AND USES THEREFOR  
the specification of which

(check one)

\_\_\_ is attached hereto.

X was filed on May 30, 1995 as

Application Serial No. 08/456,104

and was amended on \_\_\_\_\_  
(if applicable)

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

This application in part discloses and claims subject matter disclosed in my earlier filed pending application,

Serial No. 08/147,773, filed November 3, 1993; *as shown at serial 41*  
✓ Serial No. 08/101,624, filed July 26, 1993; *5,942,607*  
Serial No. 08/109,393, filed August 19, 1993; and *as shown at serial 41*  
✓ Serial No. 08/280,757, filed July 26, 1994. *6,130,216*

and I hereby claim the benefit of said United States prior application under Title 35, United States Code, §120.

I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, §1.56.

09206132-120798

AS TO PARENT APPLICATION:

As to the subject matter of this application which is common to said earlier application, I do not know and do not believe that the same was ever known or used in the United States of America before my or our invention thereof or patented or described in any printed publication in any country before my or our invention thereof, or more than one year prior to said earlier application, or in public use or on sale in the United States of America more than one year prior to said earlier application; that the common subject matter has not been patented or made the subject of an inventor's certificate issued before the date of said earlier application in any country foreign to the United States of America on an application filed by me or my legal representatives or assigns more than twelve months prior to said earlier application; and

As to applications for patents or inventor's certificate or PCT international application(s) designating at least one country other than the United States of America, on the common subject matter, filed in or designating any country foreign to the United States of America, prior to said earlier application by me or my legal representatives or assigns,

Check one:

☐ no such applications have been filed.

☒ such applications have been filed as follows

EARLIEST FOREIGN APPLICATION(S), IF ANY, FILED WITHIN 12 MONTHS  
(6 MONTHS FOR DESIGN) PRIOR TO SAID EARLIER U.S. APPLICATION

Country	Application Number	Date of Filing (month,day,year)	Priority Claimed Under 35 USC 119
	PCT/US94/08423	July 26, 1994	<input checked="" type="checkbox"/> Yes    No <input type="checkbox"/>
			<input type="checkbox"/> Yes    No <input type="checkbox"/>
			<input type="checkbox"/> Yes    No <input type="checkbox"/>
			<input type="checkbox"/> Yes    No <input type="checkbox"/>
			<input type="checkbox"/> Yes    No <input type="checkbox"/>

ALL FOREIGN APPLICATION(S), IF ANY, FILED MORE THAN 12 MONTHS  
(6 MONTHS FOR DESIGN) PRIOR TO SAID EARLIER U.S. APPLICATION


090613 120788

AS TO THIS APPLICATION:

As to the subject matter of this application which is not common to said earlier application, I do not know and do not believe that the same was ever known or used in the United States of America before my or our invention thereof or patented or described in any printed publication in any country before my or our invention thereof, or more than one year prior to this application, or in public use or on sale in the United States of America more than one year prior to this application; that said non-common subject matter has not been patented or made the subject of an inventor's certificate issued before the date of this application in any country foreign to the United States of America on an application filed by me or my legal representatives or assigns more than twelve months prior to this application; and

As to applications for patents or inventor's certificate or PCT international application(s) designating at least one country other than the United States of America, on said non-common subject matter, filed in or designating any country foreign to the United States of America, prior to this application by me or my legal representatives or assigns,

Check one:

☒ no such applications have been filed.

☐ such applications have been filed as follows

EARLIEST FOREIGN APPLICATION(S), IF ANY, FILED WITHIN 12 MONTHS  
(6 MONTHS FOR DESIGN) PRIOR TO THIS U.S. APPLICATION

Country	Application Number	Date of Filing (month,day,year)	Priority Claimed Under 35 USC 119
			<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/>
			<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/>
			<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/>
			<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/>
			<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/>

ALL FOREIGN APPLICATION(S), IF ANY, FILED MORE THAN 12 MONTHS  
(6 MONTHS FOR DESIGN) PRIOR TO THIS U.S. APPLICATION


09206133 120798

POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorneys and/or agents to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

John A. Lahive, Jr.	Reg. No. 19,788	Jeremiah Lynch	Reg. No. 17,425
W. Hugo Liepmann	Reg. No. 20,407	Amy E. Mandragouras	Reg. No. 36,207
James E. Cockfield	Reg. No. 19,162	Elizabeth A. Hanley	Reg. No. 33,505
Thomas V. Smurzynski	Reg. No. 24,798	Matthew P. Vincent	Reg. No. 36,709
Ralph A. Loren	Reg. No. 29,325	Paul Louis Myers	Reg. No. 35,965
Thomas J. Engellenner	Reg. No. 28,711	Beth E. Arnold	Reg. No. 35,430
William C. Geary III	Reg. No. 31,359	Anthony A. Laurentano	Reg. No. 38,220
Giulio A. DeConti, Jr.	Reg. No. 31,503	Jane E. Remillard	Reg. No. 38,872
Michael I. Falkoff	Reg. No. 30,833	Jean M. Silveri	Reg. No. 39,030
Ann Lamport Hammitte	Reg. No. 34,858	Mark A. Kurisko	Reg. No. 38,944
John V. Bianco	Reg. No. 36,748	Edward J. Kelly	Reg. No. 38,936

all of: Lahive & Cockfield

and to: Julia D. Hart, Reg. No. 33,132  
Dana-Farber Cancer Institute  
44 Binney Street  
Boston, Massachusetts 02115

Send Correspondence to: Lahive & Cockfield, 60 State Street, Boston, MA 02109

Direct Telephone Calls to: Amy E. Mandragouras, (617) 227-7400

Wherefore I petition that letters patent be granted to me for the invention or discovery described and claimed in the attached specification and claims, and hereby subscribe my name to said specification and claims and to the foregoing declaration, power of attorney, and this petition.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of first inventor Gordon J. Freeman	
Inventor's signature	Date
Residence 305 Walnut Street, Brookline, Massachusetts 02146	
Citizenship United States of America	
Post Office Address (if different)	

Full name of second inventor Lee M. Nadler	
Inventor's signature	Date
Residence 36 Cross Hill Road, Newton, Massachusetts 02159	
Citizenship United States of America	
Post Office Address (if different)	

Full name of third inventor Gary S. Gray	
Inventor's signature <i>Gary S. Gray</i>	Date <i>August 30, 1995</i>
Residence 32 Milton Road, Brookline, Massachusetts 02146	
Citizenship United States of America	
Post Office Address (if different)	

09206132 120798

Attorney's  
Docket  
Number RPI-008CP

Declaration, Petition and Power of Attorney  
for Continuation-in-Part Patent Application

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

TUMOR CELLS MODIFIED TO EXPRESS B7-2 AND B7-3 WITH INCREASED  
IMMUNOGENICITY AND USES THEREFOR

the specification of which

(check one)

\_\_\_ is attached hereto.

X was filed on May 30, 1995 as

Application Serial No. 08/456,104

and was amended on \_\_\_\_\_  
(if applicable)

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

This application in part discloses and claims subject matter disclosed in my earlier filed pending application,

Serial No. 08/147,773, filed November 3, 1993;

Serial No. 08/101,624, filed July 26, 1993;

Serial No. 08/109,393, filed August 19, 1993; and

Serial No. 08/280,757, filed July 26, 1994.

and I hereby claim the benefit of said United States prior application under Title 35, United States Code, §120.

I acknowledge the duty to disclose to the United States Patent and Trademark Office all information know to me to be material to patentability as defined in Title 37, Code of Federal Regulations, §1.56.

09206132 120798

# AS TO PARENT APPLICATION:

As to the subject matter of this application which is common to said earlier application, I do not know and do not believe that the same was ever known or used in the United States of America before my or our invention thereof or patented or described in any printed publication in any country before my or our invention thereof, or more than one year prior to said earlier application, or in public use or on sale in the United States of America more than one year prior to said earlier application; that the common subject matter has not been patented or made the subject of an inventor's certificate issued before the date of said earlier application in any country foreign to the United States of America on an application filed by me or my legal representatives or assigns more than twelve months prior to said earlier application; and

As to applications for patents or inventor's certificate or PCT international application(s) designating at least one country other than the United States of America, on the common subject matter, filed in or designating any country foreign to the United States of America, prior to said earlier application by me or my legal representatives or assigns,

Check one:

☐ no such applications have been filed.

☒ such applications have been filed as follows

EARLIEST FOREIGN APPLICATION(S), IF ANY, FILED WITHIN 12 MONTHS  
(6 MONTHS FOR DESIGN) PRIOR TO SAID EARLIER U.S. APPLICATION

Country	Application Number	Date of Filing (month,day,year)	Priority Claimed Under 35 USC 119
	PCT/US94/08423	July 26, 1994	<input checked="" type="checkbox"/> Yes    No <input type="checkbox"/>
			<input type="checkbox"/> Yes    No <input type="checkbox"/>
			<input type="checkbox"/> Yes    No <input type="checkbox"/>
			<input type="checkbox"/> Yes    No <input type="checkbox"/>
			<input type="checkbox"/> Yes    No <input type="checkbox"/>

ALL FOREIGN APPLICATION(S), IF ANY, FILED MORE THAN 12 MONTHS  
(6 MONTHS FOR DESIGN) PRIOR TO SAID EARLIER U.S. APPLICATION


09206130-120798

# AS TO THIS APPLICATION:

As to the subject matter of this application which is not common to said earlier application, I do not know and do not believe that the same was ever known or used in the United States of America before my or our invention thereof or patented or described in any printed publication in any country before my or our invention thereof, or more than one year prior to this application, or in public use or on sale in the United States of America more than one year prior to this application; that said non-common subject matter has not been patented or made the subject of an inventor's certificate issued before the date of this application in any country foreign to the United States of America on an application filed by me or my legal representatives or assigns more than twelve months prior to this application; and

As to applications for patents or inventor's certificate or PCT international application(s) designating at least one country other than the United States of America, on said non-common subject matter, filed in or designating any country foreign to the United States of America, prior to this application by me or my legal representatives or assigns,

Check one:

☒ no such applications have been filed.

☐ such applications have been filed as follows

EARLIEST FOREIGN APPLICATION(S), IF ANY, FILED WITHIN 12 MONTHS  
(6 MONTHS FOR DESIGN) PRIOR TO THIS U.S. APPLICATION

Country	Application Number	Date of Filing (month,day,year)	Priority Claimed Under 35 USC 119
			<input type="checkbox"/> Yes <input type="checkbox"/> No
			<input type="checkbox"/> Yes <input type="checkbox"/> No
			<input type="checkbox"/> Yes <input type="checkbox"/> No
			<input type="checkbox"/> Yes <input type="checkbox"/> No
			<input type="checkbox"/> Yes <input type="checkbox"/> No

ALL FOREIGN APPLICATION(S), IF ANY, FILED MORE THAN 12 MONTHS  
(6 MONTHS FOR DESIGN) PRIOR TO THIS U.S. APPLICATION




POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorneys and/or agents to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

John A. Lahive, Jr.	Reg. No. 19,788	Jeremiah Lynch	Reg. No. 17,425
W. Hugo Liepmann	Reg. No. 20,407	Amy E. Mandragouras	Reg. No. 36,207
James E. Cockfield	Reg. No. 19,162	Elizabeth A. Hanley	Reg. No. 33,505
Thomas V. Smurzynski	Reg. No. 24,798	Matthew P. Vincent	Reg. No. 36,709
Ralph A. Loren	Reg. No. 29,325	Paul Louis Myers	Reg. No. 35,965
Thomas J. Engellenner	Reg. No. 28,711	Beth E. Arnold	Reg. No. 35,430
William C. Geary III	Reg. No. 31,359	Anthony A. Laurentano	Reg. No. 38,220
Giulio A. DeConti, Jr.	Reg. No. 31,503	Jane E. Remillard	Reg. No. 38,872
Michael I. Falkoff	Reg. No. 30,833	Jean M. Silveri	Reg. No. 39,030
Ann Lamport Hammitte	Reg. No. 34,858	Mark A. Kurisko	Reg. No. 38,944
John V. Bianco	Reg. No. 36,748	Edward J. Kelly	Reg. No. 38,936

all of: Lahive & Cockfield

and to: Julia D. Hart, Reg. No. 33,132  
Dana-Farber Cancer Institute  
44 Binney Street  
Boston, Massachusetts 02115

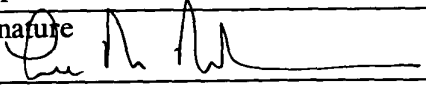
Send Correspondence to: Lahive & Cockfield, 60 State Street, Boston, MA 02109

Direct Telephone Calls to: Amy E. Mandragouras, (617) 227-7400

Wherefore I petition that letters patent be granted to me for the invention or discovery described and claimed in the attached specification and claims, and hereby subscribe my name to said specification and claims and to the foregoing declaration, power of attorney, and this petition.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of first inventor Gordon J. Freeman	
Inventor's signature <i>Gordon J. Freeman</i>	Date 10-3-95
Residence 305 Walnut Street, Brookline, Massachusetts 02146	
Citizenship United States of America	
Post Office Address (if different)	

Full name of second inventor Lee M. Nadler	
Inventor's signature 	Date 10/5/95
Residence 36 Cross Hill Road, Newton, Massachusetts 02159	
Citizenship United States of America	
Post Office Address (if different)	

Full name of third inventor Gary S. Gray	
Inventor's signature	Date
Residence 32 Milton Road, Brookline, Massachusetts 02146	
Citizenship United States of America	
Post Office Address (if different)	

05/02/95 22:50:26

